

COUNTY OF LOUDOUN
DEPARTMENT OF BUILDING AND DEVELOPMENT
MEMORANDUM

DATE: December 16, 2005
TO: Planning Commissioners
FROM: Michelle Lohr, Planner *ML*
Zoning Administration
RE: Rural Policy Area Remapping Information

On November 17, 2005 the Board of Supervisors adopted a resolution stating its intention to revise the AR-1 and AR-2 zoning districts, to remap those districts, to adopt new optional RR-1 and RR-2 zoning districts, and to adopt other zoning ordinance amendments, subdivision ordinance amendments, and comprehensive plan amendments. The proposed amendments to these documents were based on a proposal adopted by the Board of Supervisors entitled "Proposal #1 for Western Zoning" revised 7/21/05. After holding four worksessions, at a meeting held on December 10, 2005, the Board of Supervisors adopted a resolution referring the amendments and the mapping of the AR-1 and AR-2 districts to the Planning Commission for notice and hearing and directing the Planning Commission to make its recommendation by March 6, 2006.

Enclosed is a package of information regarding the Rural Policy Area Remapping project which includes amendments to the Comprehensive Plan, Land Subdivision and Development Ordinance (including the FSM) and the Zoning Ordinance. A description of the elements of the resulting zoning ordinance amendments follows.

Lot Yield. The draft includes a maximum lot yield of one lot per 20 acres in the AR-1 district and one lot per 40 acres in the AR-2 district, with the ability to attain a lot yield of 1 lot per 10 acres in the AR-1 district and one lot per 20 acres in the AR-2 district through the Principal/Subordinate subdivision option process.

Rezoning Option. Two new zoning districts, RR-1 (Rural Residential – 1) and RR-2 (Rural Residential – 2) have been developed to include an option to allow a property owner to increase the lot yield of a tract through the rezoning process to up to one lot per 7.5 acres in the AR-1 district area and one lot per 15 acres in the AR-2 district area. A modified process has also been developed (Section 6-1216) for remapping to the RR-1 district on tracts of less than 90 acres and to the RR-2 on tracts of less than 140 acres. The new Rural Residential districts were based, in part, on a Rural Residential district that was included in the original 1993 Zoning Ordinance. The use list of the old RR district was the base for developing the use lists for the proposed districts.

Subdivision Options. The AR-1 and AR-2 zoning districts are proposed to be amended by incorporating three methods to subdivide a property. The **Base Density** option, a relatively simple method of subdivision, permits a property owner to subdivide a property with a lot yield of one lot per 20 acres, with a minimum lot size of 20 acres. The materials required to subdivide the property are minimal and involve the Director of Building and Development verifying that water and sewer is available to the property, that the minimum lot size can be met and that the parcels have acceptable access. The **Principal/Subordinate** subdivision option includes a process to enable a property owner to “spin-off” a lot or lots at any time. A lot yield of one lot per 10 acres is established for the AR-1 district and one lot per 20 acres in the AR-2 district with the property owner able to subdivide as many lots at a time up to the total lot yield established for the property at time of first subdivision. A minimum lot size of 80,000 square feet (approximately 2 acres) is required with individual water and sewer systems to be located on the lot served. At least one lot of a minimum of 15 acres must be provided in the AR-1 and RR-1 districts and at least one lot of a minimum of 25 acres must be provided in the AR-2 and RR-2 districts to support rural economy uses. With the **Cluster** development option a landowner may choose to develop the property as a cluster development, with communal water and sewer systems permitted to be located on common open space. At least one lot in the cluster must be a minimum of 15 acres in the AR-1 and RR-1 districts and a one lot in the cluster must be a minimum of 25 acres in the AR-2 and RR-2 districts with the remaining cluster lots of between 40,000 square feet and 4 acres. In the new RR districts, clustering is required, while clustering is optional in the AR districts.

Open Space. Although not required to be located within an open space easement, a minimum of 70% of the land in the cluster subdivision in the AR-1 and RR-1 districts and 85% of the land in the cluster subdivision in the AR-2 and RR-2 districts must be in rural economy lot(s) or a combination of rural economy lot(s) and common open space.

Rural Economy Lot. The draft contains a requirement for at least one larger lot of a minimum of 15 acres in the AR-1 and RR-1 districts and 25 acres in the AR-2 and RR-2 districts that could be used for rural economy uses.

Minimum Lot Size. Included in the draft are a minimum lot size of 80,000 square feet (approximately 2 acres) for the Principal/Subordinate option and a minimum of 40,000 square feet (approximately 1 acre) for the Cluster option.

Water and Sewer on Individual Lots. Within the Principal/Subordinate subdivision option, the water and sewer must be provided on site. Within the cluster developments communal water and sewer systems may be located within Common Open Space. The draft also allows up to 70% of individual septic fields in a development to be located within Common Open Space.

Uses. Within the Principal/Subordinate subdivision option the permitted uses are the same as the AR districts, with many uses being subject to the Additional Regulations of Section 5-600. Such additional regulations restrict certain uses based on minimum lot size. Within the Rural Residential district, as the potential for a conflict between rural

uses and lots of as small as 1 acre is possible, the types of rural economy uses proposed are less intense than those in the AR districts.

Deletion of References to Conservation Design, River and Stream Corridor Overlay District and Limestone Overlay District. In order to responsive to the Court's direction regarding the environmental overlay districts, the draft includes amendments to delete references to conservation design, the Limestone Overlay District (LOD), and the River and Stream Corridor Overlay District (RSCOD).

ZORC Recommendations. The Board of Supervisors forwarded to the Planning Commission the proposed amendments brought forward by the Zoning Ordinance Review Committee regarding the uses in the AR-1 and AR-2 Districts, Section 5-500 Temporary Uses/Permits, and Section 5-600 Additional Regulations for Specific Uses. The package contains revisions to Section 5-600 incorporating both the ZORC and the revisions prepared by staff.

Country Club Use. The Planning Commission held a public hearing on March 21, 2005 regarding a proposal to add the use "Country Club" to the AR-1 and AR-2 zoning districts [ZOAM 2005-0001]. Discussion on this amendment was subsequently tabled. As there is a desire to reconsider this amendment, the necessary amendments to the AR-1 and AR-2 districts and to Section 5-600 have been incorporated into this package of materials.

ATTACHMENTS

1. Resolution of Referral of Rural Zoning Amendments to the Planning Commission, 12/10/05.
2. Summary of Board of Supervisors' "Proposal #1 for Western Zoning," revised 7/21/05.
3. Copy teste of Board of Supervisors' July 20, 2005 action adopting Proposal #1 Western Zoning.
4. Copy teste of Board of Supervisors' "Intent to Amend the Comprehensive Plan, the Zoning Ordinance, and the Subdivision Ordinance in Order to Implement Western Zoning Proposal #1," 11/17/05.
5. Action Report of the December 7, 2005 Reconvened Board of Supervisors' Meeting.
6. Action Report of the Recessed December 7, 2005 Board of Supervisors Meeting, Reconvened on December 10, 2005.
7. Draft Amendments to the Rural Policies of the Loudoun County Comprehensive Plan, dated 12/14/05.
8. Draft Amendments to the LSDO (including the FSM) to Implement the Rural Option, dated 12/12/05.
9. Draft Amendments to Zoning Ordinance, Section 2-100, AR-1 dated 12/16/05.
10. Draft Amendments to Zoning Ordinance, Section 2-200, AR-2 dated 12/16/05.
11. Draft Amendments to Zoning Ordinance, Section 2-150, RR-1 dated 12/16/05.
12. Draft Amendments to Zoning Ordinance, Section 2-250, RR-2 dated 12/16/05.

13. Draft Amendments to Zoning Ordinance, Article 2 and 4 (JLMA and TR, LOD and RSCOD Districts).
14. Draft Amendments to Zoning Ordinance, Article 5.
15. Draft Amendments to Zoning Ordinance, Article 6.
16. Draft Amendments to Article 8, Definitions, dated 12/16/05.
17. Letter from Rural Economic Development Council dated 11/10/05.
18. Memorandum form Loudoun Convention & Visitors Association dated 11/10/05.
19. Memorandum from Jim Burton to Linda Neri dated 11/16/05 regarding "Draft Zoning Ordinance Language" (10/19/05 version).
20. Memorandum from Lori Waters to Linda Neri dated 12/7/05 regarding "Changes to the Rural Policy Area documents".
21. E-mail from Mick Staton to Linda Neri and members of the Board of Supervisors dated 12/19/05 regarding "Issues to Discuss on Saturday."